

- (2) Hiring, firing, and evaluation of program personnel;
- (3) Selection of board members;
- (4) Arranging for ~~a private and independent an~~ annual ~~audit~~; audit, in accordance with G.S. 143-6.1;
- (5) Development of procedures for contracting for services.

(b) If the board serves as an advisory board to a sentencing services program located in a local or State agency, the board's duties do not include budgeting and personnel decisions.

"§ 7A-776. Limitation on use of funds.

Funds provided for use under the provisions of this Article shall not be used for the operating costs, construction, or any other costs associated with local jail ~~confinement~~, confinement, or for any purpose other than the operation of a sentencing services program that complies with this Article.

"§ 7A-777. Evaluation.

The Director shall evaluate each ~~community penalties~~ sentencing services program on an annual basis to determine the degree to which the ~~prison commitments have been reduced or have kept from increasing as a result of the community penalties program. The Director shall not renew or continue a program that has failed to affect commitments and that shows no promise of doing so in the future, after allowing for changes in the number of convictions.~~ program effectively meets the needs of the courts in its judicial district by providing them with sentencing information. In conducting the evaluation, the Director shall consider the goals and objectives established in the program's plan, as well as the extent to which the program is able to ensure that the offenders served by the plan meet the criteria established in G.S. 7A-773(1)."

**Section 2.** G.S. 15A-1340.11(6) reads as rewritten:

"(6) Intermediate punishment. -- A sentence in a criminal case that places an offender on supervised probation and includes at least one of the following conditions:

- a. Special probation as defined in G.S. 15A-1351(a).
- b. Assignment to a residential program.
- c. House arrest with electronic monitoring.
- d. Intensive probation.
- e. Assignment to a day-reporting center.

~~In addition, a sentence to regular supervised probation imposed pursuant to a community penalties plan as defined in G.S. 7A-771(2) is an intermediate punishment, regardless of whether any of the above conditions is imposed, if the plan is accepted by the court and the plan does not include active punishment."~~

**Section 3.** G.S. 15A-1340.14(f) reads as rewritten:

"(f) Proof of Prior Convictions. -- A prior conviction shall be proved by any of the following methods:

- (1) Stipulation of the parties.
- (2) An original or copy of the court record of the prior conviction.